

1 KEKER & VAN NEST LLP
ROBERT A. VAN NEST - # 84065
2 BRIAN L. FERRALL - # 160847
DAVID SILBERT - # 173128
3 MICHAEL S. KWUN - #198945
633 Battery Street
4 San Francisco, CA 94111-1809
Telephone: (415) 391-5400
5 Email: rvannest@kvn.com;
bferrall@kvn.com; dsilbert@kvn.com;
6 mkwun@kvn.com

SUSAN CREIGHTON, SBN 135528
SCOTT A. SHER, SBN 190053
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
1700 K Street NW, Fifth Floor
Washington, D.C., 20006-3817
Telephone: (202) 973-8800
Email: screighton@wsgr.com;
ssher@wsgr.com

7
8 JONATHAN M. JACOBSON, NY SBN 1350495
CHUL PAK (*pro hac vice*)
DAVID H. REICHENBERG (*pro hac vice*)
9 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
10 1301 Avenue Of The Americas, 40th Floor
New York, NY 10019-6022
11 Telephone: (212) 999-5800
Email: jjacobson@wsgr.com; cpak@wsgr.com;
12 dreichenberg@wsgr.com

13 Attorneys for Defendant
14 ARISTA NETWORKS, INC.

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN JOSE DIVISION

18 CISCO SYSTEMS, INC.,

19 Plaintiff,

20 v.

21 ARISTA NETWORKS, INC.,

22 Defendant.
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Case No. 5:14-cv-05344-BLF (NC)

**ARISTA'S ADMINISTRATIVE MOTION
TO REDACT/SEAL PORTIONS OF
COURT'S DAUBERT ORDER**

Judge: Hon. Beth Labson Freeman

Date Filed: December 5, 2014

Trial Date: November 21, 2016

Pursuant to the Northern District of California's Civil Local Rules 7-11 and 79-5(d)-(e), Defendant Arista Networks, Inc. respectfully submits this administrative motion to redact and seal portions of the Court's under-seal version of its Order on *Daubert* Motions [deciding ECF 423, 427, 428, 429, 430, 440], which the Court made available to the parties on October 12, 2016, for the purpose of identifying potentially sealable information.

Arista seeks to redact and seal the following portions of the Court's under-seal order:

- Page 18, line 21, beginning with the percentage figure, through page 19 line 1;
- Page 19, line 6: the percentage figure;
- Page 19, line 10: the percentage figure;
- Page 19, line 14: the percentage figure;
- Page 19, line 27, beginning with the percentage figure, through page 19 line 28;
- Page 20, line 2: the percentage figure;
- Page 20, line 9: the percentage figure;

Because this motion to redact and seal relates to a non-dispositive motion, the documents and information that the parties request to file under seal are not subject to a strong presumption of public access. *See Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006). Rather, the "good cause" standard of Rule 26(c) of the Federal Rules of Civil Procedure applies to the material that Arista seeks to file under seal. *Id.* at 1179. Civil Local Rule 79-5 further requires that a party seeking to seal information and documents "establish[] that the document, or portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under the law." Civil L.R. 79-5(b). The sealing request must also "be narrowly tailored to seek sealing only of sealable material." *Id.*

Arista has established good cause to redact and seal the passages listed above through the Declaration of Eduardo E. Santacana filed herewith.

Dated: October 19, 2016

KEKER & VAN NEST LLP

By: /s/ Brian L. Ferrall
BRIAN L. FERRALL

Attorney for Defendant
ARISTA NETWORKS, INC.